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March 4, 2019,

**VIA ECF**

Honorable Arthur D. Spatt, U.S. District Judge, E.D.N.Y.  
U.S. District Court, E.D.N.Y.  
100 Federal Plaza  
Central Islip, NY 11722

Re: Ron Gurrieri, et al. v. County of Nassau  
Docket No.: 16-CV-6983 (ADS)(SIL)

Dear Judge Spatt,

Please allow this letter to serve as notification to restore Plaintiffs' Motion to Proceed as a Collective Action (Docket Entry 8, 14, 18, 19) to the active calendar. On February 27, 2019, the parties had a status conference on the above mentioned matter before Magistrate Judge Locke. At the status conference, Magistrate Judge Locke informed the parties that Plaintiffs' Motion to Proceed as a Collective Action was not currently on the active calendar.

The parties previously submitted the fully-briefed Collective Action motion (Docket Entry 8, 14, 18, 19). However, the motion was held in abeyance due to Plaintiffs seeking leave to file a late notice of claim in state court for Plaintiffs' New York Labor Law claims. On December 27, 2017, and December 29, 2017, Plaintiffs submitted letters to Judge Spatt and Magistrate Judge Locke requesting that Plaintiffs' federal claims be reactivated and for Plaintiffs' Motion to Proceed as a Collective Action be reactivated as well, due to the delay by the state court to render a decision on whether Plaintiffs would be granted leave to file a late notice of claim for the New York Labor Law claims. (Docket Entry 31, 32). Following a decision by Judge Mahon in Nassau Supreme, which deemed Plaintiffs' Notice of Claim timely filed *nunc pro tunc*, Plaintiffs once again wrote to the





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Court by letter, dated April 12, 2018, seeking to reactive all of Plaintiffs' claims in this Court. (Docket Entry 35).

Now that the state court action has been decided and the above action has been reactivated, we respectfully request that Plaintiffs' Motion to Proceed as a Collective Action be reactivated and restored to the active calendar. Plaintiffs are hopeful that a decision on the Motion to Proceed as a Collective Action will encourage the parties to engage in meaningful settlement discussions.

Should you have any questions, please feel free to contact the undersigned.

Very truly yours,

*Louis D. Stober, Jr.*  
Louis D. Stober, Jr., Esq. (LS-9318)

Cc: Deanna Panico, Esq.  
Bee, Ready, Fishbein, Hatter & Donovan, L.L.P.